

The Madison County Plan Commission on the above date at 9:00 A.M. with Bill Maxwell, President, presiding.

Members Present: Bill Maxwell, Paul Wilson, Phil Isom, Larry Crenshaw, John Orick, John Simmermon, Patrick Manship, Mark Gary and Wesley Likens.

Members Absent: None.

Also Present: Cory Wilson, Executive Director. Judy King, Plan Reviewer, Gerald Shine, Jr., Attorney, and Beverly Guignet, Secretary.

### **Current Business**

1. Roll call was taken and all members were present.

2. The minutes of the preceding meeting were distributed to each member prior to the meeting. Member Likens made a motion to approve the minutes. Member Simmermon seconded the motion. The vote was unanimous in favor of the motion.

### **New Business:**

1. Petition:       **2010-Z-001**                   **Zoned: AG**  
Address:       5132 West State Road 32, Anderson  
Location:       North side of SR 32, west of CR 500 West  
Petitioner:       William T. & Jody L. Walters  
Request:       Rezone from AG (Agricultural) to GC (General Commercial)

No one was present representing this petition.

The petitioners informed Director Wilson that proper notification was not give out in time but they would have that done by the next Plan Commission meeting and requested this be continued.

There were no remonstrators present.

Member Simmermon made a motion, seconded by Member Manship to continue Petition #2010-Z-001 until the March meeting. The vote was unanimous in favor of the motion. **Petition #2010-Z-001 has been continued until the March meeting.**

2. Petition:       **2010-W-001**                   **Zoned: CR**  
Address:       South side of CR 200 S., approximately ¼ mile west of CR 400 W., Anderson  
Location:       South side of CR 200 S., approximately ¼ mile west of CR 400 W., Anderson  
Petitioner:       Charles M. & Phyllis Manifold  
Request:       Two waivers of the Subdivision Control Ordinance: 1) A waiver to provide for a 3.99 acre lot with 50 feet of road frontage (minimum 75 feet of road frontage required). 2) A waiver to provide for a 225 foot wide by 1326 foot long lot (lots not permitted to be longer than 3.5 times the width or in this case 787.5 feet).

Director Wilson informed the Board proper notification was given.

Mark and Lori Williams and Steve Servies from Rayl Surveying were present representing this request.

Lori Williams is the daughter of the petitioners, Charles and Phyllis Manifold.

Steve Servies told the Board that the proposed lot is to be located behind the existing dwelling. Therefore, requiring a waiver for road frontage .

The petitioners are proposing 50 feet of road frontage as opposed to the required 75 feet. The house will be back approximately 300 feet from the road. Since the lot is behind the existing dwelling a width to depth ration waiver is required.

Director Wilson stated staff is recommending approval of this request. The development pattern in the area and the number of different lot sizes in the area was the bases for this decision. The only thing that is asked is, the entrance, that the address be properly marked so emergency providers can identify the location.

Drainage will be addressed duringt the platting process.

There were no remonstrators present.

Member Manship made a motion to approve Petition #2010-W-001 for the waiver to provide for a 3.99 acre lot with 50 feet of road frontage. This is per staff recommendation and the following Finding of Facts; the approval will not be detrimental to the public safety, health or general welfare; this would be a reasonable use; this would not affect the adjoining properties; it will not conflict with the Zoning Ordinance; it will not contradict the intent of the Comprehensive Plan.

Member Orick seconded the motion.

The vote was unanimous in favor of the motion. **Petition #2010-W-001 (waiver for frontage relief) was approved.**

Member Wilson moved to approve Petition #2010-W-001 for the waiver of the width to depth ration to provide for a 225 foot wide by 1326 foot long lot. This per staff recommendation and is subject to their Finding of Fact...

Member Likens seconded the motion.

The vote was unanimous in favor of the motion. **Petition #2010-W-001 (width to depth ration) was approved.**

3. Miscellaneous:

Mr. Shine said concerning the case of the K.C.C.A. against the JM Corporation the court ruled in favor of the JM Corporation. The court found the statue was unconstitutional. The court went further and said the container system to collect waste did not meet the requirement of accepting waste under the Landfill Rules and Regulations.

Each party was given 30 days in which to appeal.

Member Shine told the Board although this issue does not come before the Board he just wanted to keep them up on what was happening.

Member Orick made a motion, seconded by Member Manship to adjourn. The vote was unanimous in favor of the motion.

Adjournment: 9:27:58 A.M.

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Bill Maxwell, President

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Beverly Guignet, Secretary